



## **POLICIES AND PROCEDURES**

### **EQUALITY POLICY**

**NOVEMBER 2021**

<b>Date ratified at Trust Board:</b>	23 February 2022
<b>Signature of Chair:</b>	
<b>Author/Reviewer:</b>	Trust HR Team
<b>Date for Review:</b>	November 2024

## DOCUMENT CONTROL

Unless there are legislative or regulatory changes in the interim, this Policy will be reviewed every 3 years. Should no substantive changes be required at that point, the policy will move to the next review cycle.

<b>First Issue</b>	November 2021
<b>Originator</b>	CEO/HR
<b>Linked Policies</b>	<ul style="list-style-type: none"><li>• SEN Policy</li><li>• Admissions Policy</li><li>• Anti-bullying Policy</li><li>• Behaviour Policy</li><li>• Students with medical needs policy</li><li>• Accessibility plans (for each school)</li><li>• Recruitment and Selection Policy</li><li>• Disciplinary Policy</li><li>• Grievance Policy</li></ul>
<b>Target Audience</b>	All stakeholders in MLT
<b>Dissemination via</b>	Email and Trust Websites

<b>Version</b>	<b>Date</b>	<b>Reviewer</b>	<b>Changes</b>

## **1 Introduction**

- 1.1 Mercia Learning Trust is committed to developing, maintaining, and supporting a culture of equality and diversity across all aspects of the Trust's work. The Trust aims to ensure equality of opportunity for all staff, students and stakeholders in an environment in which all individuals are recognised as being of equal value and are able to make best use of their skills through equality of opportunity.
- 1.2 Mercia Learning Trust has a strong moral purpose to do what is best for children and families which underpins our ethos. We believe that all children, regardless of race, sex, class, gender, religion, sexual orientation or disability should have high aspirations and that the Trust's task is to help them all achieve their potential. In order to achieve this, we will ensure that all areas of the curriculum are suitably resourced in ways that reflect the range of cultures are committed to the delivery of high-quality education by excellent staff, in a caring, supportive learning environment.
- 1.3 Similarly, we shall encourage parents to share their children's experiences and to offer their own as an aid and encouragement to learning. We will confront and discuss racist and sexist language or conduct; and through the positive enforcement of our behaviour policy we will do our best to ensure that all individuals in the Academy, including visitors, feel safe and are treated with consideration when they are amongst us.
- 1.4 We believe that this policy should be a working document that is fit for purpose, represents our ethos, enables consistency and quality across the Trust and our schools.
- 1.5 The co-operation of all employees is essential for the success of this policy. Behaviour or action against the spirit on which this policy is based, will be considered a serious disciplinary matter and may lead to dismissal.

## **2 Purpose**

- 2.1 The purpose of this policy is to define Mercia Learning Trust's commitment to equality in everything that we do.
- 2.2 We are committed to equality in both employment and education provision. We recognise the diverse nature of our locations and services, and aim to ensure that students, parents, governors, employees, contractors, partners, directors, clients and those who may potentially join the trust community, are treated fairly, and with dignity and respect.
- 2.3 Every possible step will be considered in the aim to ensure individuals are treated fairly and decisions are based on objective criteria.

- 2.4 The Trust opposes all forms of discrimination and it is our policy and ethos to promote equality to all, irrespective of:
- **Age** - applies to a school as an employer, but not with regard to the treatment of pupils and prospective pupils
  - **Disability** – a person who has a physical or mental impairment which has a substantial and long-term effect on his/her ability to carry out normal day to day activities
  - **Race** – this encompasses colour, nationality, and ethnic or national origins
  - **Gender reassignment** – a person who proposes to, starts or has completed a process to change his/her gender. This does not have to be under medical supervision
  - **Marriage and civil partnership**
  - **Maternity and pregnancy** – pregnancy related illness must not be considered when considering a woman’s employment
  - **Religion or belief** – this covers all faith with a structure and belief system which has weighty and substantial influence on human life and behaviour. Those of no faith are also covered.
  - **Sex** – both men and women are protected under the Act
  - **Sexual orientation** – the Act protects bisexual, gay, heterosexual and lesbian people
  - **Domestic circumstances** - including carer responsibilities
  - **Trade union membership**
- 2.5 The Trust undertakes not to discriminate unlawfully, or treat people less favourably, on the grounds of any Protected Characteristics defined by the Equality Act 2010 (and any future amendments to the Act), or any other ground that cannot be justified.
- 2.6 The Trust recognises that it is also unlawful to discriminate by association or perception, e.g. treating a student unfairly based on the Protected Characteristics of their parents or other family members.
- 2.7 The Equality Act makes it unlawful to treat someone differently, either through direct and indirect discrimination, harassment, and victimisation and by failing to make a reasonable adjustment for a disabled person. This policy recognises the four types of unlawful behaviour (see definitions in Appendix 1).
- 2.9 All forms of discrimination by any person within the school will be treated seriously. A careful note of such incidents will be made, whether they take place in the school grounds, corridors or teaching areas. It will always be made clear to offending individuals that such behaviour is unacceptable. Racist symbols, political symbols or other biased and/or offensive insignia are forbidden in Trust schools. The display of such materials is regarded as discriminatory behaviour. Discriminatory behaviour of any kind will lead to the involvement of parents and sanctions.

### **3 Legislation**

3.1 This policy is underpinned by the Equality Act 2010 (“The Act”) including (Specific Duties and Public Authorities) Regulations 2017 and relates to the following legislation:

- Human Rights Act 1998
- The Education (School Performance Information) (England) Regulations 2001
- Gender Recognition Act 2004
- Education Act 2011
- School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012
- Nationality and Immigration Act 2006
- The Safeguarding Vulnerable Groups Act 2006

The Equality Act covers all aspects of school life such as the treatment of:

- pupils and prospective pupils
- parents and carers
- employees
- local community

3.2 The Trust recognises that the Act extends beyond the protected characteristics of an individual employee and has broader responsibilities to employees and situations that may be covered by the Act. For example, an employee with parental or caring responsibilities for a disabled dependent may have rights under the Act which the Trust, as their employer, would have to consider.

### **4 Public Sector Equality Duty (PSED)**

4.1 Under the Equality Act 2010 the Trust is required to meet the Public Sector Equality Duty (PSED) and have due regard to:

- Eliminate discrimination, harassment, victimisation and other conduct that is prohibited by the Equality Act.
- Advance equality of opportunity between people who share a protected characteristic and people who do not share it.
- Foster good relations across all protected characteristics between people who share a protected characteristic and people who do not share it.

4.2 The following summary demonstrates how we comply and achieve our PSED objectives:

- Through our curricula, we aim to educate pupils about the importance of the protected characteristics, equalities and the values of tolerance and respect.
- We are aware of the requirements of the Equality Act 2010 that it is unlawful to discriminate, treat some people less fairly or put them at a disadvantage.

- Our governors and trustees have been briefed on their legal responsibilities under the Equality Act 2010 and have also been involved in supporting the school to meet its public sector equality duty.
- We endeavour to keep an accurate record, when possible and appropriate, of the protected characteristics of our pupils and employees.
- Our schools have a behaviour policy that outlines our expectations of both pupils and staff in their interactions with each other, including our approach to tackling bullying, prejudice and discrimination.
- We deal promptly and effectively with all incidents and complaints of bullying and harassment
- We keep a record of all such incidents and notify those affected of what action we have taken.
- Our schools have a Special Educational Needs and Disabilities Policy that outlines the provision the school makes for pupils with special educational needs.
- Our complaints policy sets out the procedures through which we deal with any complaints
- We aim to observe and implement the principles of equal opportunities and non-discrimination in our employment practices.
- We pay due regard to safeguarding and protecting our pupils within our recruitment practices.
- We have procedures for addressing staff discipline, conduct and grievances.

## **5 Our Commitment**

### **5.1 Recruitment and Selection**

- 5.1.1 All recruitment will be carried out in accordance with the Trust's Recruitment and Selection Policy which is aimed at ensuring that the most suitable candidate is appointed fairly to the job.
- 5.1.2 All recruitment will be within the provisions of the Act, and applications will be monitored to report on recruitment activity, in line with the Act.
- 5.1.3 Our recruitment and selection practices comply with appropriate employment law legislation and will be amended to reflect any subsequent legislative changes.
- 5.1.4 Selection will be based on objective and job-related criteria and the successful candidate will be chosen on his/her merits and abilities.
- 5.1.5 Applicants will be asked to complete a Diversity, Equality and Inclusion form as part of their application. This information will be separated from the application form and will be used for monitoring purposes only and will play no part in the selection process.

- 5.1.6 The Trust will put in place arrangements to determine which vacancies must be advertised both internally and externally simultaneously. It is anticipated that senior posts would always be advertised externally. Steps will be taken to ensure that knowledge of vacancies reaches underrepresented groups internally and, where appropriate, externally. All vacancy advertisements will include a short statement on equal opportunities.
- 5.1.7 We will make every effort in creating equality of opportunity for employees, ensuring these are accessible and fair to all. Where necessary we will implement reasonable adjustments or additional support, to ensure equality of access to the working environment and opportunity to undertake the job role successfully.

## **5.2 Employment**

- 5.2.1 In order to comply with the provisions of the Nationality and Immigration Act 2006, we will take steps to ensure all staff are eligible to work in the United Kingdom. Successful candidates will be asked to produce original documents before a confirmed offer of employment is provided.
- 5.2.2 In order to protect the welfare of the students in our care, we will ensure safe recruitment practices are followed. As such all employees, agency workers, contractors, volunteers, casual and supply staff will be required to provide relevant information for the Trust's Single Central Record to confirm their suitability to work with children.
- 5.2.3 HR Policies and procedures will be reviewed regularly to improve, adapt or amend current practices to promote equality of opportunities. All HR and employment policies will be applied consistently and fairly and refer to the provisions of The Act. In addition, employees have access to a range of policies which aim to support and encourage flexibility and diversity in our workplaces.

## **5.3 Students**

- 5.3.1 The Trust will ensure that its students are provided with appropriate support to recognise their individual needs. This includes protection under the Act extending the reasonable adjustment duty to require schools to provide auxiliary aids and services to disabled students.
- 5.3.2 Protection under The Act is extended to students who are pregnant, have recently given birth or are undergoing gender reassignment.
- 5.3.3 All policies relating to the provision of education, the curriculum, behaviour for learning, attendance, exclusion, medical treatment and safeguarding policies should consider the provisions and duties of the Act.

## 5.4 Contractors and Service Providers

- 5.4.1 Across the Trust we will ensure that all service providers that are contracted to provide services to students, staff or visitors will comply with Equalities legislation.
- 5.4.2 Where services are deemed not to meet these standards, in relation to equal opportunities and fairness, contracts may be terminated.
- 5.4.3 Provisions will be made within Service Level Agreements between the Trust, or an individual school and service provider or contractor, that will ensure that services are made available, with due regard for fairness and equality.
- 5.4.4 We will take steps to ensure that contractors working at the school operate within the requirements of our Equality Statement.

## 6 Roles and Responsibilities

In order to implement this policy, we shall:

- Communicate the policy to all staff through staff briefings and email
- Ensure the policy is used as a means of raising and discussing the issues covered in this policy on a periodic basic to ensure that all staff remain fully aware of their responsibilities in relation to equality and diversity
- Endeavour, through appropriate training, to ensure that it will not consciously or unconsciously discriminate in the selection or recruitment of applicants

School Community	Responsibility
Trust Board/CEO	<p>The Board of Trustees and the Chief Executive Officer are responsible for equalities at corporate level and will ensure:</p> <ul style="list-style-type: none"><li>• the Trust and its schools comply with the Equality Act 2010</li><li>• the equality policy and its procedures are followed</li><li>• they are well informed about the policy and trained where necessary</li><li>• actions are taken to involve and engage the whole Trust and its academies in identifying and understanding equality barriers and in setting objectives to address these</li></ul>
Headteachers	<p>Headteachers and Chairs of Governors have specific responsibility for the effective implementation of this policy at school level.</p> <p>Responsibilities are as above including:</p> <ul style="list-style-type: none"><li>• Promoting key messages to staff, parents and pupils about equality and what is expected of them and can be expected from the school in carrying out its day-to-day duties.</li></ul>

	<ul style="list-style-type: none"> <li>• Ensure that staff have appropriate skills to deliver equality, including pupil awareness.</li> <li>• Ensure that all staff are aware of their responsibility to record and report prejudice related incidents.</li> <li>• the equality policy is readily available and that all stakeholders can easily access it</li> <li>• appropriate action is taken in response to breaches of the equality act</li> <li>• all staff and pupils with protected characteristics have been identified</li> </ul>
Senior Leadership Teams	<p>To support the Headteacher as above.</p> <p>Senior leaders are responsible for ensuring that appropriate arrangements are put in place to monitor the performance of potentially disadvantaged pupils. Measures would include:</p> <ul style="list-style-type: none"> <li>• identifying and investigating any patterns with regard to exclusions and poor attendance in respect of particular groups</li> <li>• monitoring differences in pupil attitudes to work and towards each other, with a view to identifying any significant patterns</li> <li>• addressing issues such as sexual or racial harassment, bullying and hostile behaviour and ensuring that there are effective procedures for reporting and responding to such incidents</li> <li>• ensuring that the performance of different groups of pupils is monitored and evaluated so that the particular needs of different pupils are met; and</li> <li>• provide staff development to raise awareness of differences in need and to promote strategies to raise achievement in all pupils</li> <li>• create an environment which affirms and supports ethnic, cultural, religious and social diversity and effectively promotes good personal, community and race relations.</li> <li>• Ensure fair treatment and access to services and opportunities. Ensure that all staff are aware of their responsibility to record and report prejudice related incidents.</li> </ul>
Staff	<p>We expect all employees to abide by the policy and help to create an equality environment. All staff must ensure they:</p> <ul style="list-style-type: none"> <li>• comply with the content of this policy</li> <li>• recognise and deal with breaches of the equality act</li> <li>• promote equality for all</li> <li>• keep up to date with the provisions of The Act</li> <li>• are aware of their responsibility to record and report prejudice related incidents</li> </ul>

	<ul style="list-style-type: none"> <li>• help in delivering the right outcomes for pupils</li> <li>• uphold the Trust commitment made to pupils and parents/carers on how they can be expected to be treated</li> </ul> <p><b>Teaching staff must</b></p> <ul style="list-style-type: none"> <li>• design and deliver an inclusive curriculum</li> <li>• ensure methods, language, questioning and classroom management includes and engages all pupils</li> <li>• ensure suitable resources are chosen which motivate and are sensitive to different groups, cultures and backgrounds</li> <li>• ensure that stereotypes and what are thought to be stereotypical activities are effectively challenged</li> <li>• ensure they are aware of possible cultural assumptions and bias within their own attitudes.</li> </ul>
Parents	<p>Parents/carers must:</p> <ul style="list-style-type: none"> <li>• be aware of and comply with this policy</li> <li>• be encouraged to take an active role in the life of our schools, such as by attending parents/carers open evenings, teacher consultations, class assemblies, school concerts and events</li> <li>• be encouraged to take part in school surveys</li> <li>• ensure that their children attend school and engage in their learning</li> <li>• report any prejudiced related incidents that may occur</li> <li>• take an active role in supporting and challenging the Trust and its schools to achieve the commitment given to our communities in tackling inequality and achieving equality of opportunity for all</li> </ul>
Pupils	<p>Pupils must:</p> <ul style="list-style-type: none"> <li>• support the school to achieve the commitment made to tackling inequality be aware of and comply with this policy</li> <li>• uphold the commitment made by the Headteacher on how pupils and parents/carers, staff and the wider community can be expected to be treated; ensuring that members of the Mercia community are not subject to inequality</li> <li>• recognise that they have a role and responsibility to promote equality, diversity, inclusion and good community relations</li> <li>• treat others kindly and fairly without prejudice, discrimination or harassment</li> <li>• work to promote anti-bullying strategies</li> <li>• report any prejudiced related incidents that may occur</li> <li>• not use language which is abusive or offensive</li> </ul>

## **7 Further Advice**

The Trust recognises that there is a wealth of information relevant to the provisions of the Equality Act 2010. Advice on this policy and more specific legal requirements and definitions is available via:

[www.gov.uk/government/publications/equality-act-guidance](http://www.gov.uk/government/publications/equality-act-guidance)  
[www.gov.uk/government/publications/equality-act-2010-advice-for-schools](http://www.gov.uk/government/publications/equality-act-2010-advice-for-schools)  
[www.equalityhumanrights.com](http://www.equalityhumanrights.com)

## **8 Complaints**

- 8.1 The Trust will take seriously all complaints of unlawful (or potentially unlawful) discrimination.
- 8.2 Any complaints will be investigated in accordance with the grievance, dignity at work or complaints policy, whichever is appropriate.
- 8.3 Any breaches of the policy should be reported in the first instance to the Headteacher at school level and CEO at Mercia Learning Trust, who will carry out a full investigation or delegate this to another designated member of staff.

## **9 Monitoring, Evaluation and Review**

- 9.1 The Trust will analyse the profile of its current workforce, job applicants and appointments to assist the effectiveness of the policy.
- 9.2 The Trust will review this policy at least every two years but no later than four years from publication and assess its implementation and effectiveness.
- 9.3 The policy will be promoted and published throughout our schools.

Types of discrimination:

- **Direct discrimination** – someone is treated less favourably than another person because of a protected characteristic
- **Discrimination by association** – direct discrimination against someone because they associate with another person who possesses a protected characteristic
- **Discrimination by perception** – direct discrimination against someone because others think they possess a particular protected characteristic
- **Indirect discrimination** – resulting from a rule or policy that applies to everyone but disadvantages a particular protected characteristic
- **Harassment** – behaviour that is offensive to others even if it is not directly aimed at them
- **Harassment by a third party** – the Trust are potentially liable for harassment of those in our Trust and academies made by people we do not employ
- **Victimisation** – someone is treated badly, made or supported a complaint under the Equality Act

### Equality Objectives

Our equality objectives are based on our analysis of data and other information. They focus on those areas where we have agreed to take action to improve equality and opportunity. Mercia Learning Trust has set out the following equality objectives for the next three years. All of these objectives and actions to achieve them are detailed in school and Trust improvement plans.

#### **In relation to Achievement:**

- We are committed to improving the attainment of vulnerable groups of students, including students with Special Educational Needs, students with disabilities and those entitled to Free School Meals so that the gap between their attainment and that of other students is narrowed.
- We will aim to raise aspirations among children and young people, their parents and communities and raise awareness of career and higher education opportunities, to challenge stereotypes.

#### **In relation to Teaching and Learning:**

- We will ensure that our curriculum (including our programme of enrichment and extra-curricular activities) actively is broad and balanced and provides opportunities for all students and promotes understanding between different groups of people, cultures and societies.
- Our curriculum will include an element of PHSE education that tackles stereotypes and challenges student's perceptions.

#### **In relation to Behaviour and Safety:**

- We will maintain a rigorous anti-bullying stance so that all students and staff, including those with protected characteristics, are protected from harassment and discrimination of all kinds
- We will ensure the promotion of British Values through our personal development curriculum. This will support and develop our students into responsible citizens of the future.
- Our behaviour policies will outline how we will deal with students who use discriminatory homophobic or otherwise offensive language.

#### **In relation to Leadership and Management:**

- We will demonstrate our commitment to equality and diversity through consistent application of our policies and procedures
- We will ensure that our systems for recruiting, retaining and managing staff (and potential applicants) support all those in groups protected by the Equalities Act
- We will undertake equality assessments of all new and existing policies and procedures

### **How we will consult and engage our stakeholders with regard to our PSED:**

We aim to engage and consult with our stakeholders (including parents, students, governor's staff and local communities) so we can develop our awareness and review the impact of our policies and equality objectives.

Examples of our engagement and consultation include:

- Student surveys, 'Student Voice' forums and school council structures
- Student school leader programmes
- Staff surveys
- Parents forum
- Parent and Community governors
- Open events/Parents Evenings/SLG 'drop in' sessions
- School magazines and other communication channels.

We have reviewed how we currently perform as a Trust in the context of the requirements of the General Duty and the Protected Characteristics. The summary below gives you more information on each of the nine protected characteristics.

In collating the equality information, we have:

- Identified evidence already in school of policies and practice and identified gaps
- Explored how we engage with protected characteristics
- Analysed our effectiveness in terms of equality

### **Age**

- Mercia Learning Trust is committed to a policy of equal opportunities throughout its dealings with applicants and employees. Our aim is that potential and actual employees, along with the individuals that we represent, are treated fairly on the basis of merit and ability regardless of age, disability, family responsibilities, gender, HIV status, marital status, nationality, race, religious or political views or affiliations, sexual orientation or socio-economic background.
- Our new staff training programmes ensure all staff have effective CPD opportunities including Schools Direct trainees and other colleagues.
- Trust Leadership Team views succession planning as instrumental to the success of all its schools. This is evident through CPD opportunities available to all.

### **Disability**

- School SENCo's ensure the diversity of students' learning needs are met
- School curriculums include activities designed to increase pupils' awareness of disability issues and to promote disability issues positively through PSHE lessons and assemblies.
- We have a small number of staff who have declared a disability. We are mindful that staff can be reluctant to declare a disability and encourage staff to tell us about their condition so that we can support them as appropriate..
- Where necessary, we will implement reasonable adjustments or additional support to help overcome or minimise difficulties to ensure equality of access to an education and suitable learning and working environment.

### **Gender reassignment**

- All of our policies are based on advice/guidance from HR and other professionals

### **Marriage and civil partnership**

- All of our policies are based on advice/guidance from HR and other professionals

### **Pregnancy and Maternity**

- All of our policies are based on advice/guidance from HR and other professionals
- We remind students to move safely around school and assess all risks

### **Race**

- We have a diverse cohort of students from a variety of ethnic backgrounds
- Assessments for all EAL students, with a particular focus on new arrivals that join us mid-year, are in place in all schools

- All CPD has a focus on inclusion and closing the gap
- All schools have achievement for all high on their agenda. Ensuring teaching and learning is culturally and contextually relevant is an on-going priority for the Trust. We carefully analyse pupil achievement with regard to different cohorts (including vulnerable groups), and develop action points for the school accordingly

### **Religion or belief**

- All students learn about world faiths
- Our curriculum is inclusive for all faiths
- Our primary school children have an opportunity to make visits to different places of worship
- Prayer room facilities are available in some schools to address the needs of different faiths and there is opportunity for prayer and reflection for students and staff

### **Gender**

- Our staffing is mixed with a balance of males and females in teaching and support roles
- Senior Leadership teams consist of female and male staff
- Our local governing bodies are gender representative
- Our Trust Board is gender representative
- Within our schools, where possible and practical, we support flexible working, and we have developed policies and procedures to support this process
- We carefully analyse pupil achievement with regard to gender and develop action points for the Trust/Schools accordingly.

### **Sexual orientation**

- Though we do not collect or retain information in this regard, all of our policies are based on advice/guidance from our HR Director and any member of the school or Governing Body would be supported as necessary
- Schools record all incidents of homophobic bullying and has a robust and immediate response to all forms of bullying

### **Cohesion**

- The Trust has well-developed links with both Sheffield HEIs and local businesses
- The Trust and its schools work collaboratively with a range of local businesses to enhance the curriculum
- We use PSHE and assemblies as an approach to tackle bullying, and to enable pupils to recognise and manage their own and other pupils' emotions and feelings
- Regular Progress and pastoral meetings ensure that the educational and SMSC aspects of learners' needs is frequently monitored and acted upon
- The Mercia Learning Trust Mission, along with each individual school mission, reflects that we understand the evolving profile of learners and ensures the curriculum is fit for purpose for all our learner's providing depth and breadth of opportunity

### **Inclusion**

- We carefully analyse pupil achievement regarding a number of vulnerable groupings within our schools and develop action points for the school accordingly
- School inclusion teams are highly skilled and experienced at instigating multi-agency networks so that the most effective teams around the child are identified

- SEN departments co-ordinate parent review meetings and update the SEN register routinely to ensure it is a live and coherent document for staff, students, and parents
- We track and report on behaviour and exclusion data and look to eradicate any patterns or overrepresentation by individuals or groups
- Year teams provide pastoral support and care for vulnerable students